

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

RICK A. YOUNG,

Plaintiff,

v.

CUS VAN OGLE, *et al.*,

Defendants.

Case No. C04-5080FDB

ORDER GRANTING MOTION FOR  
ORDER STAYING PAYMENT OF  
COSTS PENDING APPEAL


Plaintiff alleged Eighth Amendment violations concerning a thin mattress in his cold holding cell, which were rejected upon adoption of the Report and Recommendation. Plaintiff also moved for an order directing payment of costs from his savings account, which motion was rejected.

Defendants submitted a costs bill. Plaintiff has filed an appeal and paid the fee therefor, but now moves for an order staying payment of costs pending appeal.

In view of his earlier request to this Court to direct payment of costs from his savings account, the Court will grant the motion for stay.

ACCORDINGLY, IT IS ORDERED: Plaintiff's Motion for Order Staying Payment of Costs [Dkt. # 71] is GRANTED.

DATED this 28<sup>th</sup> day of July, 2005.

  
FRANKLIN D. BURGESS  
UNITED STATES DISTRICT JUDGE